

REMARKS


This Amendment is in reply to the Official Action mailed November 29, 2004. Claims 1 through 10 are now pending and claims 1 and 3 have been amended.

Rejection of Claims Under 35 U.S.C. § 112, Paragraph 2

Claims 1-10 stand rejected under 35 U.S.C. § 112, Paragraph 2. Section 112 does not require that steps in a method claim recite with who or what is performing a step or the order of the steps, only that the claim otherwise be definite. To expedite prosecution, Applicant has made amendments to clarify concerns raised by the Patent Office as to the definiteness of claim 1. The amendments make express that the carrier performs several of the recited steps and that a scanner is used to automatically register the parcel in the secure receptacle by communicating the placement of the parcel over a communication link. Claim 1 has also been amended to recite more particularly the order of the recited steps.

For completeness, Applicant notes that claim 3 includes a conforming amendment because claim 1 provides antecedence for “the communication link,” and also has been amended to omit the “contemporaneously with” recitation.

In view of the amendments to claim 1, withdrawal of the Section 112 rejection is requested.

{W:\02849\000G277000\00390514.DOC }

Appl. No.: 09/454,770
Amdt. Dated March 29, 2005
Reply to Office Action of November 29, 2004

Rejection of Claims Under 35 U.S.C. § 103(a)

Claims 1-4 and 6-9 were rejected by the Patent Office as being unpatentable under 35 U.S.C. § 103(a) for obviousness over Sosan (US 5,624,071) in further view of Ogilvie et al. (US 6,344,796). Claims 5 and 10 were rejected by the Patent Office as being unpatentable under 35 U.S.C. § 103(a) for obviousness over Sosan in view of Ogilvie and in further view of Nishiyama et al (US 3,689,155).

The Patent Office acknowledges that Sosan “does not specifically disclose automatically registering the placement of the parcel within the secure receptacle after the securing step” (claim 1, step (f)) and does not specifically disclose “wherein the registering step is in response to and contemporaneously with the securing step,” but contends that Sosan discloses “using a bar code scanner to decode a combination and use this combination to deliver a package.” For the features missing in Sosan, the Patent Office cites to Ogilvie and states that the motivation for modifying Sosan is to keep a record of the package that was delivered.

Response to § 103(a) Rejection of Claims

The Patent Office contends that step (f), the automatic parcel registration within the secure receptacle, is not “specifically” disclosed in Sosan. In fact, Sosan does not hint or suggest at such a step. The bar code of Sosan to which the Patent Office refers is to decode information that is used to deliver a package, and not for automatically registering the delivery of a package into a secure receptacle “by communicating placement data concerning the placement of the parcel within the secure receptacle over a communication link.” Sosan’s teachings are insufficient to disclose or

{W:\02849\000G277000\00390514.DOC 11/11/2006 11:11:11 AM}

Appl. No.: 09/454,770
Amdt. Dated March 29, 2005
Reply to Office Action of November 29, 2004

